

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/14/2022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-v-	:	18-CR-262 (VEC)
	:	
ARMANDO GOMEZ, FABIO SIMON YOUNES	:	<u>ORDER</u>
ARBOLEDA,	:	
	:	
Defendants.	:	
-----X	:	

Valerie Caproni, United States District Judge:

WHEREAS on January 14, 2022, Mr. Younes filed pre-trial motions, Dkt. 94;

WHEREAS on January 15, 2022, Mr. Gomez joined in portions of the motions, Dkt. 96;

WHEREAS on February 11, 2022, the Government responded in opposition to the motions, Dkt. 104; and

WHEREAS on March 14, 2022, the parties appeared for a conference.

IT IS HEREBY ORDERED that for the reasons stated at the conference, Mr. Younes and Mr. Gomez's motion to exclude evidence on grounds of inaudibility and inauthenticity is DENIED without prejudice; Mr. Younes's motion to sever the Defendants' trials is DENIED with prejudice; and Mr. Younes and Mr. Gomez's motion for the early production of § 3500 material and Rule 404(b) evidence is DENIED as moot.

IT IS FURTHER ORDERED that any motions *in limine* are due no later than **Friday, May 6, 2022** and any responses in opposition are due no later than **Friday, May 20, 2022**. Any motions to exclude particular pieces of evidence on grounds of inaudibility or inauthenticity should be filed by the May 6, 2022 deadline. The Court will determine whether a hearing on the motions is necessary upon reviewing the parties' legal briefs.

IT IS FURTHER ORDERED that proposed *voir dire* questions and requests to charge are due no later than **Friday, June 3, 2022**. The parties should only file proposed *voir dire* questions that relate to the particulars of this case; the Court will use its standard *voir dire* questions with respect to general matters.

IT IS FURTHER ORDERED that the Court will endeavor to commence jury selection and the trial in this matter on **Monday, July 18, 2022**. Counsel should reserve this date for trial. Once the Court has confirmed the trial date, the Court will update the parties and schedule the final pretrial conference.

IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), time is excluded until July 18, 2022 because the ends of justice served by excluding time outweigh the best interest of the public and the Defendants in a speedy trial given the volume of discovery and the logistical difficulties of reviewing discovery and trial preparation caused by COVID-19.

The Clerk of Court is respectfully directed to close the open motions at docket entries 94 and 96.

SO ORDERED.

Date: March 14, 2022
New York, NY



VALERIE CAPRONI
United States District Judge